

11 January 1977

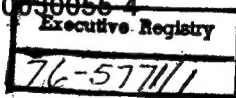
NOTE FOR MR. BUSH

George,

Per your request of 2 December, I met with Mike Duval to discuss the proposal to make changes in 11905 to make the Executive Order a more viable document. As I mentioned to you in my memo of 6 December, I was not entirely sanguine as to the timing to make changes in the Executive Order. I felt that it was best to leave a re-write of 11905 to the new Administration.

Today I received a call from Mike Duval. Mike, after discussing the subject of 11905 with several people/organizations, has also come to the conclusion that any re-write should be left to the Carter Administration. He is, therefore, preparing a memo to President Ford in which he outlines needed changes but recommends that the President leave this action to the upcoming Administration.

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DCI/IC 76-0185

6 DEC 1976

MEMORANDUM FOR: Director of Central Intelligence
 FROM :
 Deputy to the DCI for the Intelligence Community
 SUBJECT : Your Conversation with Mike Duval on Executive Order
 Changes

I agree that the timing is not right to suggest changes to the Executive Order. Believe it best to await the new administration.

Short of the larger issues like electronic surveillance, testing, etc., if I were to single out any item which could be clarified and hence make our life a little easier, it would be the section regarding the submission of the budget. When wanting to be difficult, DoD often referred to the Secretary's statutory responsibility to submit a budget. DoD would further point to the wording of the Executive Order as not specifying that the CFI should submit the budget. While well-meaning people could certainly find room in the present wording to interpret the CFI's responsibility as reviewing, approving and submitting the budget, the present wording has caused unnecessary debate. I would suggest the change to note that:

"The CFI shall review and amend as appropriate the proposed budget request of the Intelligence Community organizations and prepare and submit a consolidated budget for the National Foreign Intelligence Program to the President through the Office of Management and Budget."

There is merit in noting a direct DCI to program manager relationship on matters of budget and resource allocation as well as substantive intelligence issues. I suggest the following be added to Section 3(b)(3):

"The DCI as Chairman of the CFI, and the IC Staff in behalf of the DCI, will communicate directly with the program managers of the National Foreign Intelligence Program on matters of budget and resource allocation regardless of the program managers' organizational affiliations."

DCI

If you agree with the above, I will contact Mike.

STAT



DCI/IC 76-0185

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76-5771

2 December 1976

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MEMORANDUM FOR:

[REDACTED]
D/DCI/IC

FROM

: George Bush
Director

Dan,

I had a visit with Mike Duval yesterday. Mike would like to be helpful in getting any changes in the Executive Order implemented before the President leaves office. I had told Mike that I thought it would be useless to make sweeping changes in the field of counterintelligence, electronic surveillance, etc. I don't believe the President would go along, and I'm afraid Carter would think the President was "ramming through" something just before leaving office. I did tell Mike that I thought we could refine the Order on certain procedures affecting the CFI. Would you and John McMahon discuss this?

I have in mind the "decision-making" hassle we got into with Ellsworth. I think some changes in the Order that appear to be routine could indeed be sustained, and I believe Mike could be helpful in implementing them. I know we can come up with such changes, and I think we ought to give Mike a try on this. Will you please contact him after you and I have had a chance to discuss whatever suggestions we might make to him. We should do this very soon. Many thanks.

LS/
George Bush

DCI/GB/dlg

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